

IN THE WESTERN DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

EVDOKIA NIKOLOVA, Plaintiff	§	CIVIL ACTION
VS.	§	NO. 1:19-CV-00877-RP
UNIVERSITY OF TEXAS AT AUSTIN, Defendant	§	JURY REQUESTED

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO DEFENDANT'S MOTION TO EXCLUDE
OPINION AND TESTIMONY OF PLAINTIFF'S EXPERT DR. PETER GLICK**

TO THE HONORABLE ROBERT PITMAN:

Evdokia Nikolova, Ph.D., ("Dr. Nikolova" or "Plaintiff") files this unopposed motion to file a response in opposition to Defendant's Motion To Exclude Opinion And Testimony Of Plaintiff's Expert Dr. Peter Glick (Dkt. #49) and shows the Court and Jury as follows:

1. Plaintiff's counsel filed notices with this Court and opposing counsel that both attorneys representing Plaintiff will be on pre-paid vacations beginning November 21, 2021, including that Plaintiff's counsel Robert W. Schmidt will be out of the country and on vacation (a first since the Covid pandemic) through December 9, 2021.
2. On November 16, 2021, Defendant filed a motion (Dkt. #49) to exclude the expert witness testimony of an expert designated by Plaintiff, Dr. Peter Glick, who is a leading scientist and expert in the scientific field relating to the study of discrimination, including sex and pregnancy discrimination.
3. Because Plaintiff's counsel will be out of the country on a preplanned vacation, Plaintiff's counsel respectfully requests an additional 14 days, until December 14, 2021, (five days after Plaintiff's counsel Schmidt returns) to file a response to Defendant's motion. The additional

time will allow Plaintiff's counsel time to provide the Court with briefing that will help the Court address the issues raised by Defendant.

4. If the extension is granted, Defendant's reply will be due on December 21, 2021.
5. This case is currently set for trial on March 7, 2022.
6. Plaintiff's counsel does not wish to delay this case or inconvenience the Court in any way. If the extension will not cause delay or inconvenience to the Court, Plaintiff's counsel respectfully requests the extension until December 14, 2021 to file Plaintiff's response to Defendant's motion to exclude plaintiff's expert witness.

7. As set forth in the below certificate of conference, Plaintiff's counsel conferred with opposing counsel, Darren Gibson, who stated that he will not oppose a motion to extend until December 14, 2021.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Dr. Nikolova respectfully requests that the Court grant her request to for an extension until December 14, 2021, to file a response to Defendant's Motion To Exclude Opinion And Testimony Of Plaintiff's Expert Dr. Peter Glick (Dkt. #49), and such other and further relief as the Court determines justice and fairness so require.

Respectfully submitted,

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By: /s/ Robert W. Schmidt
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with Defendant's counsel Darren Gibson by email on the matter in this motion. Mr. Gibson stated that he will not oppose an extension until December 14, 2021 but would oppose Plaintiff counsel Schmidt's original request for an extension until December 16, 2021. Accordingly, to present this Court with an unopposed motion, Plaintiff is only seeking an extension for the period of time (until December 14, 2021) that Mr. Gibson will not oppose.

/s/ *Robert W. Schmidt*

Robert W. Schmidt

CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2021, this document was served pursuant to Federal Rules of Civil Procedure on counsel for Defendants at the following address:

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/s/ *Robert W. Schmidt*

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